

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ZAKIR ISKHAKOV, :
Petitioner :
v. : Case No. 3:25-cv-4-SLH-KAP
LEONARD ODDO, WARDEN, *et al.*, :
Respondents :
:

Memorandum Order

Petitioner submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241(c)(3) seeking release on the basis that his prolonged detention pending removal, first at Moshannon Valley and then at Pike County, violated the rule in German-Santos v. Warden Pike County Correctional Facility, 965 F.3d 203 (3d Cir. 2020). ECF no. 9. The respondents were ordered to respond. ECF no. 8.

Then things get murky. Petitioner filed a motion for bail styled as a motion for preliminary injunctive relief at ECF no. 6, that I denied on March 17, 2025. ECF no. 14. On March 20, 2025 the respondents filed a suggestion of mootness in advance of their duty to respond because petitioner had been removed (without forwarding address) on March 17, 2025. ECF no. 15. I therefore ordered the matter administratively closed pending dismissal for mootness. ECF no. 16. Yesterday, March 31, 2025, petitioner filed an appeal dated March 26, 2025 from the denial of my denial of his motion for bail, ECF no. 19, with a change of address indicating he is back at Moshannon Valley, ECF no. 18.

So the matter is apparently not moot, and the appeal is properly before the presiding District Judge. The respondents should file their response to the petitioner's appeal as soon as possible. In that response or in the response to the petition itself, respondents should explain the circumstances surrounding the representation that the petitioner had been removed. A copy of ECF no. 16 is enclosed for petitioner, but petitioner has no duty to respond to it.

DATE: April 1, 2025


Keith A. Pesto,
United States Magistrate Judge

Notice by ECF to counsel of record and by U.S. Mail to:

Zakir Iskhakov A-244-050-781
Moshannon Valley Processing Center
555 Geo Drive
Philipsburg, PA 16866